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[ADDITIONAL COUNSEL LISTED ON  
SIGNATURE PAGE]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

WHITE COAT CAPTIONING, LLC, YES CONSULTING, LLC, AUTUMN COMMUNICATIONS, INC., BUSINESS TRAINING WORKS, INC., MEASURING USABILITY LLC, AND FOSTER & FORGE LTD. on behalf of themselves and all others similarly situated,

CASE NO. 3:23-cv-01594-SK

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO EXTEND TIME FOR X CORP.  
TO RESPOND TO SECOND AMENDED  
CLASS ACTION COMPLAINT**

#### **Plaintiffs.**

V.

X CORP. (FORMERLY KNOWN AS TWITTER, INC.)

**Defendant.**

1 Pursuant to Civil Local Rule 7-12, Plaintiffs White Coat Captioning, LLC, YES Consulting,  
 2 LLC, Autumn Communications, Inc., Business Training Works, Inc., Measuring Usability LLC,  
 3 and Foster & Forge Ltd. (collectively, “Plaintiffs”), on the one hand, and defendant X Corp., on the  
 4 other, by and through their respective attorneys of record, hereby stipulate, subject to the Court’s  
 5 approval, that: X Corp.’s deadline to extend to Plaintiffs’ Second Amended Class Action  
 6 Complaint (“SAC”) shall be extended by ten (10) days, from November 21, 2023 to and including  
 7 December 1, 2023.

8 WHEREAS, on October 10, 2023, the Court granted in part and denied in part X Corp.’s  
 9 Motion to Dismiss Cancomm LLC’s and Dialogue Mexico S.A. de C.V.’s claims under the  
 10 doctrine of *forum non conveniens*, as modified by *Atl. Marine Constr. Co. v. U.S. Dist. Ct.*, 571  
 11 U.S. 49 (2013) (ECF 22).

12 WHEREAS, following the Court’s order, Plaintiffs’ counsel indicated their intent to X  
 13 Corp. to amend their then-operative complaint to remove allegations concerning at least Cancomm  
 14 LLC, and to include additional plaintiffs.

15 WHEREAS, on October 17, 2023, in efforts to ensure efficiency and conserve party and  
 16 Court resources, the Parties stipulated, subject to the Court’s approval, to Plaintiffs filing a further  
 17 amended complaint by and including October 31, 2023, and X Corp. having a deadline to respond  
 18 to that further amended complaint, including via a renewed motion to dismiss Dialogue Mexico  
 19 S.A. de C.V., by and including November 21, 2023 ECF 35).

20 WHEREAS, on October 18, 2023, the Court granted the stipulation (ECF 36).

21 WHEREAS, on October 31, 2023, Plaintiffs filed the SAC (ECF 37). The SAC adds two  
 22 new named plaintiffs (Measuring Usability LLC and Foster & Forge Ltd.) and three new claims  
 23 (for quantum meruit, account stated, and open book account). The SAC does not include Dialogue  
 24 Mexico S.A. de C.V. as a named plaintiff.

25 WHEREAS, effective November 1, 2023, undersigned counsel for X Corp., Jonathan  
 26 Hawk, is no longer an attorney with the law firm of White & Case LLP, and is an attorney with the  
 27 law firm of McDermott Will & Emery LLP. Mr. Hawk was X Corp.’s sole remaining counsel at  
 28 White & Case in this matter, and a notice and proposed order for substitution of counsel has been

1 filed with the Court.

2 WHEREAS, X Corp. recently finalized its engagement of McDermott Will & Emery in this  
3 matter, and the files regarding this matter are in the process of being transferred from White &  
4 Case.

5 WHEREAS, under these circumstances, X Corp. requires additional time to finalize its  
6 assessment of the SAC and prepare a response. X Corp. has asked, and Plaintiffs have agreed,  
7 subject to this Court's approval, to extend X Corp.'s deadline to respond to the SAC by ten (10)  
8 days, from November 21, 2023 to and including December 1, 2023.

9 WHEREAS, this extension is not sought for the purpose of unnecessary delay.

10 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that X  
11 Corp.'s deadline to file responsive pleadings to the SAC shall be extended by ten (10) days, from  
12 November 21, 2023 to and including December 1, 2023.

13  
14 Dated: November 16, 2023

McDERMOTT WILL & EMERY LLP

15  
16 By: /s/ J. Jonathan Hawk  
17 Jonathan Hawk  
Attorneys for X CORP.

18  
19 LICHTEN & LISS-RIORDAN, P.C.

20  
21 By: /s/ Shannon Liss-Riordan  
22 Shannon Liss-Riordan  
Jane Farrell  
Attorneys for PLAINTIFFS

## [PROPOSED] ORDER

Pursuant to the Parties' Stipulation and for GOOD CAUSE appearing, the Court hereby orders that X Corp.'s deadline to file responsive pleadings to the SAC shall be by and including December 1, 2023.

Dated: \_\_\_\_\_

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The Honorable Sallie Kim  
United States Magistrate Judge

## **DECLARATION OF JONATHAN HAWK**

I, J. Jonathan Hawk, declare:

1. I am a partner of the law firm McDermott Will & Emery LLP, attorneys of record in this action for X Corp. I have personal knowledge of the facts set forth herein and could testify competently thereto if called upon to do so.

2. Shannon Liss-Riordan, Plaintiffs' attorney of record, concurred in the filing of the attached joint stipulation, which concurrence shall serve in lieu of her signature on that filed document. I have obtained and will maintain records to support this concurrence for subsequent production to the Court if so ordered or for inspection upon request by a party until one year after resolution of the action, including appeal, if any.

/s/ J. Jonathan Hawk  
J. Jonathan Hawk